



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,054	11/03/2003	Louis A. Lippincott	ITL1709US (P17678)	5501
21906 7590 02/28/2008 TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631				
EXAMINER				
THOMAS, ERIC M				
ART UNIT		PAPER NUMBER		
3714				
MAIL DATE		DELIVERY MODE		
02/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/701,054

Applicant(s)

LIPPINCOTT, LOUIS A.

Examiner

Eric M. Thomas

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 25-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date 9/25/07, 2/7/08.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Response to Amendment

This office action is in response to the amendments filed on 12/7/07; claims 1 – 24 have been cancelled and claims 25 – 35 have been added. Claims 25 – 35 are now pending in the current application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 25 – 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoel (U.S. 5,641,319) in view of Loving (U.S. 6,531,964).**

Regarding claim 25, Stoel provides a method of providing a media center that is used to provide electronic game data to users of the game system that is capable of separating the game data so that separate game images may be provided to the players, and receiving game control commands from the players and identifying which commands originate with each of the said players (col. 1, lines 52 - 55, col. 2, lines 8 - 10 and 45 - 60).

Regarding claims 26 and 31, Stoel provides a method of providing media center that is used to provide electronic game data to users of the game system, but is silent on the issue of tags being present within the game system. In a related art, however, Loving provides a system and method that teaches the use

of tags within a game system that is indicative of a different player (col. 1, lines 50 - 55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to the tags of Loving into the art disclosed by Stoel in order to provide identification and tracking of players of the game system.

Regarding claims 27, 29, 32, and 34, Stoel provides a method of providing media center that is used to provide electronic game data to users of that includes a controller in which the user may use to provide input commands to the media center (col. 10, lines 50 – 55).

Regarding claim 28, Stoel provides a method of providing media center that is used to provide electronic game data to users of that includes a controller in which the user may use to provide input commands to the media center, but is silent on the issue of tags being present in the game system. In a related art, however, Loving provides a system and method that teaches the use of tags within a game system that is capable of allowing game control commands from one player to be distinguished from game control commands from another player of the game system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Loving into the art disclosed by Stoel in order to remotely couple video game information throughout the game system.

Regarding claim 30, Stoel provides an apparatus that includes a media center that is used to provide electronic game data to users of the game system that discloses a module that detects and routes video game information that is

capable of separating the game data so that separate game images may be provided to the users, a controller in which the user may use to provide input commands, that is received by the module that detects routes the information to the media center, and a plurality of buffers that may be used to store the video game data (col. 3, lines 19 – 37, col. 9, lines 46 – 63, and col. 10, lines 50 – 55).

Regarding claim 35, Stoel provides an apparatus that discloses a module that detects and routes video game information, but is silent on the issue of tags being present in the video game system. In a related art, however, Loving provides a system and method that teaches the use of tags in video game information that is capable of transmitting data with a particular to particular buffer based on the tag information (col. 1, lines 34 – 48). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include tags into the art disclosed by Stoel in order to be more efficient to remotely couple video game information throughout the game system.

Response to Arguments

3. Applicant's arguments with respect to claims 25 - 35 have been considered but are moot in view of the new ground(s) of rejection.
4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 3714

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Thomas whose telephone number is (571) 272-1699. The examiner can normally be reached on 7a.m. - 3p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714